

R E M A R K S

Claims 1 through 21 are in the application, with Claims 1, 8, 16 and 19 being independent.

The pending claims are subject to a new restriction requirement. In particular, the Office Action groups the claims into Claims 1 through 7 (Group I), Claims 8 through 15 (Group II), and Claims 16 through 21 (Group III). Election of a Group is required because the Groups are alleged to be distinct.

Applicant provisionally elects Claims 8 through 15. Examination and allowance of the elected claims are respectfully requested.

This provisional election is made with traverse. Applicant requests reconsideration of the restriction requirement in light of the following arguments, and pursuant to 37 CFR §1.143. As grounds for traversal, Applicant submits that the Groups are not “distinct” set forth in MPEP §806.05(e).

As noted in the Office Action, the Group I and Group II claims are directed to a process and an apparatus for its practice. Such Groups are distinct if either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. The Office Action alleges that the Group I and Group II claims satisfy the second prong of the above test. In particular, the Office Action alleges that “the apparatus as claimed can be used to practice another and materially different process, like bonding different electronic devices other than integrated circuit dies.”

Applicant respectfully disagrees with the above allegation. First, “bonding different electronic devices” is not believed to be “materially different” from bonding integrated circuit dies. Second, the elements of Claim 8 are defined by respective steps of the Claim 1 method. The apparatus of Claim 8 therefore cannot be used to practice another process that is materially different from the method of Claim 1.

The Office Action also notes that the Group I and Group III claims are directed to a process of making and a product made. Such Groups are distinct if either: (1) the process as claimed can be used to make another materially different product, or (2) the product as claimed can be made by another and materially different process. The Office Action alleges that the Group I and Group III claims satisfy the second prong of the above test because “the product as

claimed can be made by another and materially different process such as a wire bonding apparatus.”

Applicant submits that the foregoing reasoning is insufficient to support a restriction between the Group I and Group III claims. Specifically, the Office Action has not provided an example of an alleged process to make the claimed product that is materially different from the Group I process. Moreover, the Group III product is specifically defined by respective steps of the Group I process. The Group III product therefore cannot be made by a process that is materially different from the Group I process.

Finally, the Group II and Group III claims have been characterized as an apparatus and product made. Such Groups are distinct if either: (1) the apparatus as claimed is not an obvious apparatus for making the product and the apparatus can be used for making a different product, or (2) that the product as claimed can be made by another and materially different apparatus. The Office Action alleges that the Group II and Group III claims satisfy the second prong of the above test because “the product as claimed can be made by another and materially different process such as a wire bonding apparatus.”

Applicant respectfully disagrees. The Group III product is specifically defined by the apparatus used to make the product, which includes “a placement head” and “a bonding head”. Any wire bonding apparatus for making the product as claimed must therefore include a placement head and a bonding head. Accordingly, such a wire bonding apparatus would not be “materially different” from the Group II apparatus.

Applicant therefore respectfully requests withdrawal of the outstanding restriction requirement and examination of Claims 1 through 21 on the merits. In this regard, Claims 1 through 21 are believed to be in condition for allowance and such action is respectfully requested at the Examiner’s earliest convenience.

CONCLUSION

If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact Nandu A. Talwalkar using the information provided below.

Respectfully submitted,

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Date



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